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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mitterer et al.

Atty. Docket No.: BHV-305.01

Serial No: 09/367,459

International

Filing Date: Feb. 27, 1998

For: *A Method of Purifying Factor VIII/vWF-
Complex by Means of Cation Exchange
Chromatography*

ATTN: Box PCT - Natl. Phase Applns.
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

May 3, 2000

By

Jonathan Furtado
Jonathan Furtado

Date of Signature
and of Mail Deposit

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER U.S.C. 371

Dear Sir/Madam:

Responsive to the Notification of Missing Requirements dated April 5, 2000, Applicants' attorney submits herewith one executed Declaration/Power of Attorney and a check in the amount of \$130.00 to cover the surcharge/large entity. A copy of Form PCT/DO/EO/905 is also enclosed.

Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. **06-1448**. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
FOLEY, HOAG & ELIOT LLP

Beth E. Arnold

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05/12/2000 UNWALKER 00000000 09367459

01 FC:154 Date: May 3, 2000 130.00 DP

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09/367459



UNITED STATES DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO. 09/367,459

MITTERER

FIRST NAMED APPLICANT

A ATTY. DOCKET NO. 365,01

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INTERNATIONAL APPLICATION NO.

PCT/AT98/00043

I.A. FILING DATE

PRIORITY DATE

02/27/98

02/27/97

04/05/00

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.
☒ English.

☒ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☒ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 13 Aug 1999 and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Statement Claiming Small Entity Status.

☐ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. *unsigned*

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-3661